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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

HENRY A. RUIZ,

Plaintiff,

v.

ANDREW SAUL,

Commissioner of Social Security,

Defendant.

CIVIL NO. 1:20-cv-01399-SKO

**STIPULATION TO VOLUNTARY
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g) AND TO
ENTRY OF JUDGMENT; ORDER**

(Doc. 17)

IT IS STIPULATED by and between Plaintiff ("Plaintiff") and Defendant Andrew Saul, Commissioner of Social Security ("Defendant"), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Office of Hearing Operations will remand the case to an Administrative Law Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of

1 the Commissioner.

2 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
3 Social Security Act, 42 U.S.C. 405(g).

4 Dated: April 28, 2021

/s/ Francesco Benavides*

FRANCESCO BENAVIDES

Attorney for Plaintiff

*Authorized via e-mail on April 27, 2021

PHILLIP A. TALBERT

Acting United States Attorney

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By: /s/ Ellinor R. Coder

ELLINOR R. CODER

Special Assistant United States Attorney

Attorneys for Defendant

15 **ORDER**

16 Based upon the parties' above Stipulation for Voluntary Remand Pursuant to Sentence
17 Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 17), and
18 for cause shown, IT IS HEREBY ORDERED that the above-captioned action is REMANDED to
19 the Commissioner of Social Security for further proceedings consistent with the terms of the
20 Stipulation to Remand.

21 The Clerk of the Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff
22 Henry A. Ruiz and against Defendant Andrew Saul, Commissioner of Social Security; and (2)
23 administratively close this file.

24
25 IT IS SO ORDERED.

26 Dated: April 29, 2021

/s/ Sheila K. Olerto

UNITED STATES MAGISTRATE JUDGE